

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O . O. C. J.

Writ Petition No. 2191 of 2006

H.M. Pomal. Petitioner
C/o. [M.R.Pomal](#)

v/s.

1. S.P. Sangle, Divisional Joint Registrar,
Co-op. Societies & ors. Respondents

Ms.Meena Pomal, Constituted Attorney of [Mr.H.M.Pomal](#) –
Petitioner.

Ms.Mamta Sadh for State.

Mr.G. Pillai for [Res.No.3](#).

CORAM : SMT.ROSHAN DALVI, JJ.

Dated : 17th April, 2007

P.C. :

1.The Petitioner has challenged the order of the Divisional Joint Registrar, Co-operative Societies, Mumbai dated 3.4.2006. Under that order, the order of the Deputy Registrar was set aside and the matter was remanded back. Upon remand, a recovery certificate has been

issued on 4.12.2006 under Section 101 of the Maharashtra Co-operative Societies Act,1960. The only challenge available to the Petitioner is under Section 154 of the said Act. The Petitioner has also challenged previous orders under the Co-operative Societies Act in Revision of his Recovery Certificate obtained by the Society.

2.The Petitioner has in essence only challenged the quantum of the amount claimed by the Society. Such a challenge should be made in the correct forum meant for adjudication of dues of Co-operative Societies. The Petitioner's flat has been attached in execution.

3.In the above circumstances, the Petition has become infructuous and hence, rejected.

(SMT.ROSHAN DALVI, J.)